

### **III. REMARKS**

Claims 1, 9, 19 and 21 have been amended.

Claims 1-5, 8-13, 16 and 18-21 are not unpatentable under 35 U.S.C. 102(b) as being anticipated by Dent.

Independent Claim 1 has been amended to recite "...transmitting from the second access point, at intervals, data about the encryption key selected at the time over a broadcast control channel to the mobile terminal..."

wherein in connection with the handover, information is transmitted over said broadcast control channel to the mobile terminal about the encryption key selected at the second access point, ...".

Thus, the second access point transmits at intervals data about the encryption key over a BCCC and transmits information over said, i.e. the same BCCC.

The remaining independent claims have similar limitations.

In Dent, when handoff is initiated, the disclosed system transmits synchronization information on a high data rate control channel for a selected period of time. The transmission may take several slots until the base station receives a correctly encrypted message from the mobile station indicating that the mobile station has obtained the correct synchronization information, or until the selected period of time expires (col. 6, lines 31-40). The transmission of synchronization information is continued on the low data rate channel even after the handoff (col. 6, lines 58-61). Therefore, the additional synchronization information is transmitted on a different control channel than the normally used, low data rate control channel.

In the claimed invention the second access point (AP2) transmits the encryption number at intervals, but in addition to that, the access point (AP2) will send the encryption key after the handover, (page 15, lines 2-6). Therefore, the same channel in which the repetitive information on the encryption number is transmitted is used for the additional transmission(s) of the information on the encryption number.

Since the above-discussed and claimed feature is not disclosed in Dent, the rejection of claims 1-5, 8-13, 16 and 18-21 under U.S.C. 102 on Dent should be withdrawn.

Further, since there is not the slightest suggestion of this feature in Dent, these claims are unobvious over it.

Claims 6 and 14 are not unpatentable under 35 U.S.C. 103(a) over Dent in view of Kojima.

Since the above-discussed and claimed feature is not in Kojima, which merely discloses that the mobile station can request handoff to both the old and the new base station, combining it with Dent does not result in the present invention. Thus the rejection of claims 6 and 14 under 35 U.S.C. 103 on Dent in view of Kojima should be withdrawn.

Claims 7 and 15 are not unpatentable under 35 U.S.C. 103(a) over Dent in view of Gilhousen.

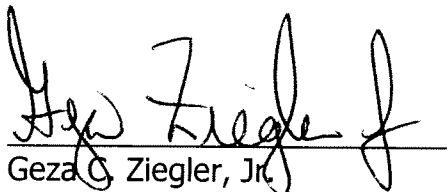
Gilhousen teaches that the mobile station can detect the need for handover and find the cell with the strongest signal. Therefore, the mobile station can request handoff to that cell. Gilhousen also fails to disclose the above-discussed and claimed feature. Thus, combining it with Dent does not result in the present invention. Thus, the

rejection of claims 7 and 15 under 35 U.S.C. 103 on Dent in view of Gilhousen should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested, or at least entry for appeal purposes since the claims are in better form for an appeal. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment of \$1020 for a three-month extension of time as well as any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
Geza C. Ziegler, Jr.  
Reg. No. 44,004

4 OCTOBER 2007  
Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800  
Customer No.: 2512

09/742,705

Response to the Office Action mailed April 11, 2007

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being transmitted electronically, on the date indicated below, addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 10.4.2007 Signature: Jessica Reen